

**Mod to add Addendums 1A, 18A,18B AND 29A**

CITY COUNCIL  
CITY OF WICHITA  
KANSAS

City Council Meeting  
September 17, 2002, 9:00 A.M.

City Hall  
455 North Main

ORDER OF BUSINESS

- Call to Order
  - Invocation - Rev. Rick Cline, Central Church of Christ
  - Pledge of Allegiance
  - Approve the minutes of the previous meeting
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AWARDS AND PRESENTATIONS

- Proclamations
  - Youth Recognition – Wichita’s Promise
  - CMA Awards of Excellence
  - African American Museum Presentation.
  - John Reiff – Big Dog Motorcycles Presentation.
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UNFINISHED BUSINESS

1. Purchase of Police Helicopter.

(Continued from August 20, 2002)

RECOMMENDED ACTION: Select helicopter; authorize purchase,  
Contract, and signatures.

(Addendum)

- 1A. Adult Soccer Facilities.

RECOMMENDED ACTION: Complete soccer field facilities or relocate facilities.

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NEW BUSINESS

2. Retirement Systems Ordinances:

- a) [Wichita](#) Employees’.
- b) [Police](#) and Fire.

RECOMMENDED ACTION: Approve first reading of the Ordinances.

3. Allocation of Housing Development Loan Program Funding. (District VI)

The Housing Development Loan Program provides subsidies for infill housing projects, supports development of idle or underutilized real estate, and provides housing for underserved populations.

RECOMMENDED ACTION: Approve HOME funding (maximum of \$297,250), subject to further financial review, contingent upon HUD Supportive Housing Award; authorize negotiation of funding agreement and necessary signatures.

4. Request by School District for Waiver of Midtown/Delano Moratorium.

The School District has been acquiring properties in the Midtown and Delano areas for school expansion projects. The Midtown Moratorium and proposed Delano Protective Overlay have delayed the demolition of certain structures needed for school expansion projects.

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CITY COUNCIL AGENDA

5. Approval of Registration Expenses for City Council to Attend League of Kansas Municipalities meeting in Wichita, October 12-15, 2002.

ACTION: Approve the expenditures.

6. Board Appointments.

RECOMMENDED ACTION: Make the appointments.

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CONSENT AGENDA

7. Report of the Board of Bids and Contracts Dated September 16, 2002.

RECOMMENDED ACTION: Receive and file report; approve Contracts; authorize necessary signatures.

8. Application for Licenses for Adult Entertainment Establishments/Services:

New Escort Service

Tracy Smith	Diamonds Incorporated	1113 ½ East Douglas
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Renewal – Adult Entertainment

Norman Massey Jr.	Zigefields	4200 West Kellogg
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RECOMMENDED ACTION: Approve licenses subject to Staff review and approval.

9. Applications for Licenses to Retail Cereal Malt Beverages:

<u>Renewal</u>	<u>2002</u>	<u>(Consumption on Premises)</u>
Maria E. Maskrid	El Matador Lounge	2033 South Broadway
		<u>(Consumption off Premises)</u>
Dennis Maloney	Express Petroleum LLC	441 South Greenwich Road

RECOMMENDED ACTION: Approve licenses subject to Staff review and approval.

10. Subdivision Plans and Specifications.

RECOMMENDED ACTION: Approve and advertise for bids to be submitted to the Board of Bids.

11. Preliminary Estimates:

- a) 2002 sanitary sewer rehabilitation, Phase F (various locations) - east of Seneca, south of 13<sup>th</sup> Street. (468-83481/620351/662474) Traffic to be maintained during construction using flagpersons and barricades. (District I, II, III, VI) - \$167,000
- b) 2002 sanitary sewer reconstruction, Phase 6 (various locations) - west of Hydraulic, north of Pawnee. (468-83482/620352/662475) Traffic to be maintained during construction using flagpersons and barricades. (District I, III, IV) - \$436,950
- c) Storm Water Sewer 572 to serve Ridgeport Commercial Park and Ridge Port Second Addition - north of 29th Street North, west of Ridge. (468-83465/751317/485208) Does not affect existing traffic. (District V) - \$307,000
- d) Water distribution system to serve Northeast Middle School Addition - south of 45th Street North, west of Oliver. (448-89703/735072/470742) Does not affect existing traffic. (District I) - \$87,000
- e) Drive and parking lot Improvements for Southlakes Park - east of Meridian, south of 47th Street South. (472-83603/785028/392160) Traffic to be maintained during construction using flagpersons and barricades. (District IV) - \$446,136
- f) 2002 sanitary sewer reconstruction Phase 5 - east of West Street, north of Maple - 468-83476/620349/662472. Traffic to be maintained during construction using flagpersons and barricades (District III, IV & VI) - \$171,000
- g) Lateral 329, Four Mile Creek Sewer to serve Samra Second Addition - north of Central, west of Greenwich. (468-83395/743911/480599) Does not affect existing traffic. (District II) - \$77,000
- h) Lateral 485, Southwest Interceptor Sewer to serve Fossil Rim Estates Addition/Unplatted Tract A - south of 29th Street North, east of Tyler. (468-83448/743937/480625) Does not affect existing traffic. (District V) - \$409,000
- i) Maize Court and construct sidewalk in Chadworth Plaza - north of 21st Street North, east of Maize. (472-83538/765748/490859) Does not affect existing traffic. (District V) - \$193,200

(Item 11 continued)

- j) Boston Park Tennis Court Reconstruction 2002 Park CIP - east of Woodlawn, north of Boston. (472-83544/785030/393162) Traffic to be maintained during construction using flagpersons and barricades. (District II) - \$90,000
- k) College Hill Park Tennis Court Reconstruction 2003 Park CIP to serve College Hill Park - east of Roosevelt, south of Bluff. (472-83619/785030/393162) Traffic to be maintained during construction using flagpersons and barricades. (District II) - \$55,000

RECOMMENDED ACTION: Approve and file.

12. Petitions for Public Improvements:

- a) Sanitary sewer laterals to serve two unplatted tracts – east of Hillside, south of 53<sup>rd</sup> Street North. (District I)
- b) Pave 127<sup>th</sup> Street East, north of 21<sup>st</sup>. (District II)
- c) Sanitary sewer and water distribution system to serve Gray's Fifth Addition – north of 47<sup>th</sup> Street South, east of Hoover. (District V)
- d) Street paving and water distribution system to serve part of Rocky Creek and Rocky Creek Second Additions – north of 13<sup>th</sup>, east of 127<sup>th</sup> Street East. (District II)

RECOMMENDED ACTION: Approve Petitions; adopt Resolutions.

13. Minutes of Advisory Boards/Commissions:

Wichita Employees' Retirement System Regular Board Meeting Minutes July 17, 2002  
Police and Fire Retirement System Regular Board Meeting Minutes July 24, 2002  
Board of Code Standards and Appeals Minutes August 5, 2002  
Minutes of Meeting of Board of Electrical Appeals August 13, 2002  
Minutes of Meeting of Board of Electrical Appeals August 27, 2002

RECOMMENDED ACTION: Receive and file.

14. Consideration of Street Closures/Uses.

RECOMMENDED ACTION: Approve street closures/uses.

15. Report on Claims Allowed August, 2002:

<u>Name of Claimant</u>	<u>Amount</u>
Aquila, Inc. (fka Peoples Natural Gas)	\$ 408.21
Aquila, Inc. (fka Peoples Natural Gas)	\$ 610.35
Leonard Schreiber	\$ 295.00
Virginia C. Charles	\$ 922.87
Kansas Dept. of Transportation	\$1,275.24
Constance A. Phillips	\$ 71.81**

(Item 15 continued)

SW Bell	\$ 608.17
SW Bell	\$ 499.51**
Deann Wiggers	<u>\$ 503.03</u>
	\$5,194.19

\*\* Settled for lesser amount than claimed.

RECOMMENDED ACTION: Receive and file.

16. Agreements/Contracts:

- a) Psychological services – Police Department.
- b) Legal services supplemental – water sales tax.
- c) Homeland Defense Readiness Center. (District I)
- d) City Hall graphics/wayfinding. (District VI)
- e) Legal services supplemental – Gilbert and Mosley project.

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize necessary signatures.

17. Change Order – Evergreen Library/Head Start. (District VI)

RECOMMENDED ACTION: Approve Change Order; authorize necessary signatures.

18. Change Order and Amending Resolution – Wayfinding Sign System.

RECOMMENDED ACTION: Approve the Change Order; adopt the Resolution; authorize necessary signatures.

(Addendum)

18A. Payment of Condemnation Award – Sealpak.

RECOMMENDED ACTION: Authorize payment.

(Addendum)

18B. Letter of Agreement – Family Mortgage Revenue Bonds.

RECOMMENDED ACTION: Approve Letter of Agreement; authorize necessary signatures.

19. Release of Hardship Deferral Lien.

RECOMMENDED ACTION: Approve the Release; authorize necessary

signatures.

20. [Title Insurance, Abstract, and Other Related Services – Selection of Vendor.](#)

RECOMMENDED ACTION: Approve selection and Contract; authorize necessary signatures.

21. [Kellogg/Woodlawn Interchange.](#) (District II)

RECOMMENDED ACTION: Authorize project bidding; approve supplemental Agreement; authorize necessary signatures.

22. [Kansas Tourism Attraction Grant – Wichita Aviation Festival.](#)

RECOMMENDED ACTION: Approve Grant application and receipt of funds; authorize necessary signatures.

23. [Metro Community Capacity Building Grant Program.](#)

RECOMMENDED ACTION: Approve Grant application and receipt of funds; authorize necessary signatures; adopt Resolution.

24. [Meter Replacement Program.](#)

RECOMMENDED ACTION: Authorize expenditure; adopt the Resolution.

25. [Wawona Lift Station.](#) (District II)

RECOMMENDED ACTION: Approve the payment.

26. [Public Exigency Project – Sanitary Sewer Repairs.](#)

RECOMMENDED ACTION: Affirm public exigency approval.

27. [Proposed Assessment Rolls.](#)

Proposed Assessment Rolls have been prepared for twenty-one (21) water, twenty-three (23) sewer, and seven (7) storm water sewer projects. It is necessary to set a public hearing date. Informal hearing with City personnel will be held October 7, 2002.

RECOMMENDED ACTION: Set the hearing on the Proposed Assessment Rolls for 9:30 a.m., Tuesday, October 15, 2002; authorize publication of the Notices.

28. Property Acquisition:

- a) Sewer easement – south of 13<sup>th</sup> Street North, west of 119<sup>th</sup>. (District V)
- b) 2402 South Mead. (District III)

RECOMMENDED ACTION: Approve budgets and Contracts; authorize necessary signatures.

29. Sale of Surplus Property - West of 441 South Glendale. (District II)

RECOMMENDED ACTION: Approve sale and Contracts; authorize necessary signatures.

(Addendum)

29A. Exchange of Land in Lien of Payment of Award in Linwood Park Condemnation Case.

RECOMMENDED ACTION: Accept the exchange of property  
In lieu of cash award.

30. Second Reading Ordinances: (First read September 10, 2002)

- a) Right-of-Way acquisition for floodway crossing from I-235 to West Street. (Districts V and VI)

An Ordinance declaring 25<sup>th</sup> Street North from I-235 to West Street to be a main trafficway within the City of Wichita, Kansas, declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of the same.

- b) ZON2002-00042 –southeast corner of Douglas and Ida. (District I)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210. ZON2002-00042

- c) ZON2002-00043 –south of 37th Street North, approximately one-half mile East of Ridge Road. (District V)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210. ZON2002-00043

- d) ZON2002-00046 –north Side of 21st Street North, approximately 1,100 feet west of Maize Road. (District V)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210. ZON2002-00046

- e) A02-14 – southeast and southwest corners of 13th Street North and 135th Street West. (District V)

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto. A02-14



RECOMMENDED ACTION: Adopt Ordinances.

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PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

- \*31. [SUB2002-00042](#) – Plat of St. Peter the Apostle Church Second Addition – West of Maize Road, North of K-42 Highway.

RECOMMENDED ACTION: Approve documents and Plat; adopt Resolutions;  
authorize necessary signatures.

32. [CON2001-00069](#) – Conditional Use to Allow Portable Rock Crusher in a General Industrial Zoning District – West Side of Ohio Street and ¼ Mile North of 29<sup>th</sup> Street North. (District VI)

MAPC Recommendation: Approve, subject to conditions as recommended by Staff and DAB VI.  
Staff Recommendation: Approve, subject to conditions.  
DAB Recommendation: Approve, subject to Staff conditions and two additional conditions.

RECOMMENDED ACTION: Concur with findings of the MAPC and approve  
Conditional Use, subject to the recommended conditions; OR  
  
Return the application to the MAPC for reconsideration.

33. [CON2002-00038](#) – Conditional Use for a Wireless Communication Facility on Property Zoned Limited Commercial – South of Kellogg, East of Woodlawn – 6603 East Kellogg. (District II)

MAPC Recommendation: Approve, subject to conditions.  
Staff Recommendation: Deny.  
DAB Recommendation: Deny.

RECOMMENDED ACTION: Concur with findings of the MAPC approve  
Conditional Use, subject to recommended conditions; OR  
  
Concur with findings of DAB II and Staff and deny; OR  
  
Return the application to the MAPC for reconsideration.

- \*34. [ZON2002-00048](#) – Zone Change from Limited Commercial to Limited Industrial – Southwest Corner of 37th Street North and Hillside. (District I)

RECOMMENDED ACTION: Approve, subject to condition of platting within  
one year; Ordinance to be forwarded when Plat  
forwarded to City Council.

- \*35. [ZON2002-00049](#) (Associated with [ZON2002-00050](#)) – Zone Change from Single-Family Residential to Limited Commercial, Neighborhood Retail, Multi-Family, and Two-Family Residential – Northwest Corner of 13<sup>th</sup> Street North and K-96. (District II)

RECOMMENDED ACTION: Approve, subject to condition of platting within one year; Ordinance to be forwarded when Plat forwarded to City Council.

- \*36. [A02-15](#) – Annex Land East of 127<sup>th</sup> Street East, South of 21<sup>st</sup> Street North. (District II)

RECOMMENDED ACTION: Approve the annexation and first reading of the Ordinance.

- \*37. [A02-16](#) – Annex Land South of Maple Street, East of 151<sup>st</sup> Street West. (District V)

RECOMMENDED ACTION: Approve the annexation and first reading of the Ordinance.

Adjournment

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CITY COUNCIL

CITY OF WICHITA

KANSAS

City Council Meeting  
September 17, 2002, 9:00 A.M.

City Hall  
455 North Main

ADDENDUM

#### UNFINISHED BUSINESS AGENDA

- 1A. Adult Soccer Facilities.

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(Addendum)

- 18A. Payment of Condemnation Award – Sealpak.

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18B. Letter of Agreement – Family Mortgage Revenue Bonds.

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